

Senator Atlee moved to go into executive session on the Governor's appointments at 10:30 a. m. on Saturday.

Carried.

Senator Goss again moved to recommit Senate bill No. 27 without instruction.

Carried.

#### BILLS ON SECOND READING.

The Chair laid before the Senate,

Senate bill No. 9, entitled "An act to make it a penal offense for any person in the State to unlawfully scatter or so place on land not his own, the seed or roots of any other vegetation which will make such land unsuitable for the cultivation of cotton, or of corn, or any other grain, or which will make the cultivation of such land in such crops more difficult, or which will impair or diminish the value of such land for the cultivation of such crops as are usually grown thereon; to prescribe the punishment therefor, and to prescribe the proceedings in prosecutions in such cases."

Action being on engrossment.

By Senator Smith:

Amend section 1, by striking out all of said section after the word "shall," in line 3, and by adding the following: "Willfully sow, scatter, or place on land not his own the seed or roots of Johnson grass, with intent to injure said land, or to make the cultivation thereof more difficult, or to diminish or impair the value of such land for the purpose of raising cotton, corn or other grain thereon, he shall be deemed guilty of a misdemeanor, on conviction thereof he shall be fined in any sum not less than one hundred dollars no more than one thousand dollars, and by confinement in the county jail for any period of time not to exceed one year, or by fine without such imprisonment."

Pending consideration, Senator Agnew moved that the amendment be printed in the Journal and the bill and amendment laid on the table subject to call.

Carried.

The Chair then laid before the Senate, Senate bill No. 25 entitled, "An act to amend article 4684, title 95, chapter 2, of the Revised Civil Statutes of the State of Texas."

Bill read second time.

Senator Simpson moved to recommit the bill.

Lost.

Senator Simpson then moved to postpone further consideration, and that the bill be made special order for Monday next after call.

Carried.

The Chair announced that the hour for executive session had arrived and the Senate accordingly went into executive session.

#### AFTER EXECUTIVE SESSION.

In executive session the following confirmations were had:

Secretary of State, Allison Mayfield of Grayson County.

Assistant Attorney General, Mann Trice of Dallas County.

Commissioner of Agriculture, Insurance, Statistics, and History, A. J. Rose of Bell County.

State Health Officer, Dr. R. M. Swearingen of Travis County.

Adjutant General, W. H. Mabry of Marion County.

Superintendent of Penitentiaries, L. A. Whatley of Cass County.

Assistant Superintendent of Penitentiaries at Huntsville, J. G. Smither of Walker County.

Assistant Superintendent of Penitentiaries at Rusk, J. P. Gibson of Cherokee County.

Financial Agent of Penitentiaries, Joseph S. Rice of Tyler County.

Inspectors of Penitentiaries, Wharton Bates of Brazoria County and T. E. Durham of Gregg County.

On motion of Senator Steele, 11:30 a. m. Friday, January 18, was fixed for the time for the Senate to go into executive session on the appointments of the retiring Governor, Hogg.

On motion of Senator Agnew, Senator Woods was excused from attendance on Friday and Saturday on account of important business.

On motion of Senator Atlee, Senator Lawhon was added to the Committee on Judicial Districts.

On motion of Senator Lewis, Senator Colquitt was added to the same committee.

On motion of Senator Gage, Senator Simpson was added to Committee on Judicial Districts.

The Chair laid before the Senate,

Senate bill No. 22, entitled "An act to amend article 3222, title 62, chapter 3, of the Revised Civil Statutes of the State of Texas."

Bill read second time, and

On motion of Senator Smith, further consideration was postponed till after call on tomorrow (Friday.)

The Chair laid before the Senate,

Senate bill No. 23, entitled "An act to repeal chapter 15, of the general laws of the State of Texas, passed at the regular session of the Twenty-third Legislature, and to revise article 2309 of the Revised Civil Statutes of the State of Texas," with committee substitute.

Pending the reading of the bill and substitute,

On motion of Senator Goss, Senate adjourned till 10 a. m. tomorrow.

#### TENTH DAY.

Senate Chamber,

Austin, Texas, January 18, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew,

Boren.

Atlee,

Bowser,

Bailey.

Colquitt.

Beall,

Darwin.

Dean. Presler.  
 Dibrell. Rogers,  
 Dickson. Shelburne.  
 Gage. Sherrill.  
 Goss. Simpson.  
 Greer. Smith.  
 Harrison. Steele.  
 Lawhon. Tips.  
 McKinney. Whitaker.  
 Absent—Senators, Crowley, Lewis and McComb.

Excused—Senator Woods.  
 Prayer by the Chaplain, Dr. Smoot.  
 Pending the reading of the Journal of yesterday,  
 On motion of Senator Boren, the same was suspended.

#### PETITIONS AND MEMORIALS.

By Senator Harrison:  
 Memorial from Lone Star Lodge No. 6, International Association of Machinists, of Galveston, Texas, protesting against the practice of leasing convicts to individuals or corporations.  
 Read and referred to Committee on Penitentiaries.

#### COMMITTEE REPORTS.

Committee Room,  
 Austin, Texas, January 17, 1895.  
 Hon. Geo. T. Jester, President of the Senate:  
 Your Committee on State Asylums, to whom was referred  
 Senate bill No. 55, being a bill to be entitled "An act to amend article 75, of chapter 1, of title 8, of the Revised Civil Statutes of the State of Texas,"  
 Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Acting Chairman.

Committee Room,  
 Austin, Tex., Jan. 17, 1895.  
 Hon. George T. Jester, President of the Senate:  
 Sir—Your Committee on Finance, to whom was recommitted Senate bill No. 27, being "A bill to be entitled an act to transfer to the general revenue account certain funds now in the State Treasury to the credit of other accounts," have had the same under consideration, and I am instructed to report back to the Senate, instead of the original bill, the substitute hereto attached, with the recommendation that it do pass.

TIPS, Chairman.

Substitute S. B. No. 27.) (By Committee.  
 A bill to be entitled "An act to transfer to the general revenue account parts of certain funds now in the State Treasury to the credit of other accounts."

Section 1. Be it enacted by the Legislature of the State of Texas: That, of the amounts now in the State Treasury to the credit of the several following named accounts, there be and are hereby transferred to the general revenue account, to

4—Senate

be used in the payment of the current expense of the State government, certain sums as follows:

From the direct tax account.	\$105,000 00
From the unorganized tax account.	60,000 00
From the organized tax account.	25,000 00
From the escheated estates account.	3,000 00
From the settlement of estates account.	2,000 00
Total.	\$195,000 00

Section 2. That the Comptroller of Public Accounts shall make such entries on the books of his department as will show the transfers directed in section 1 of this act, and shall notify the State Treasurer of said transfers.

Section 3. That, should any claim authorized by law be presented against any one of the accounts from which funds have been transferred by section 1 of this act, not exceeding the amount transferred from such account, the Comptroller shall forthwith transfer from the general revenue account back to the account against which such lawful claim may be presented, such an amount as will be sufficient to pay said claim, without reference to warrants, whether registered or otherwise, which may be outstanding against the general revenue.

Section 4. That all laws or parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Section 5. That, whereas the immediate operation of the provisions of this act will place in the Treasury to the credit of the general revenue account additional funds necessary for the payment of the expenses of the State government; therefore an emergency exists that the constitutional rule requiring this bill to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

#### BILLS AND RESOLUTIONS.

By Senator Bailey:

A bill to diminish the risks of title to land by amending the law of limitation of stale demand.

Read first time and referred to Judiciary Committee No. 1.

By Senator McKinney:

A bill to be entitled "An act to amend an act regulating the mode for preventing certain animals from running at large in counties and subdivisions, passed August 15, 1876, by adding thereto article 4592½, providing for an election after two years to determine whether hogs, sheep or goats shall be permitted to run at large."

Read first time and referred to Committee on Stock and Stockraising.

By Senator Harrison:

A bill to be entitled "An act to amend article 633, title 15, chapter 7, of the Penal Code of the State of Texas."

Read first time and referred to Judiciary Committee No. 2.

By Senator Gage:

A bill to be entitled "An act to make the possession of cattle, horses or mules, having thereon burnt brands unlawful, and to empower the sheriff and inspector of hides and animals to sequester the same, and to provide for the procedure in case of seizure."

Read first time and referred to Committee on Stock and Stockraising.

By Senator Agnew:

A bill to be entitled "An act to amend articles 2447, 2452 and 2453 of title forty-five of the Revised Civil Statutes of the State of Texas, and to repeal article 2448 of said title."

Read first time and referred to Judiciary Committee No. 1.

By Senator Darwin:

A bill to be entitled "An act to amend Sec. 92, of chapter 122 of the General Laws, passed at the regular session of the Twenty-third Legislature."

Read first time and referred to Committee on Education.

### HOUSE MESSAGE.

House of Representatives.

Austin, Texas, January 18, 1895.

Hon. Geo. T. Jester, President of Senate:  
I am directed by the House to inform the Senate that the House has passed the following House Concurrent Resolution, to wit:

House concurrent resolution No. 5.

Be it resolved by the House of Representatives, the Senate concurring, That the Joint Visiting committees provided for in House concurrent resolution No. 2 are hereby instructed to call for all books pertaining to the financial administration of the institutions visited, and to report to the Speaker of the House and the President of the Senate the condition of said institutions as shown by said books; and said committees are hereby empowered to summon witnesses to testify before them, and compel the same to testify, and to administer all such oaths as may be necessary to carry out the provisions of this resolution.

Respectfully,

CHESTER HAILE,

Chief Clerk House of Representatives.

Call concluded.

### SPECIAL ORDER.

The Chair laid before the Senate, Senate bill No. 20, entitled "An act amend article No. 3201, title 62, chapter 1, of the Revised Civil Statutes of the State of Texas,"

Question being on the adoption of the committee amendment.

By Senator Smith:

Substitute for committee amendment "Provided further, that the disability of married women shall continue one year from and after the passage of this act, and that they shall have thereafter the same time allowed others by the provisions hereof."

Adopted.

Committee amendment as substituted was adopted.

The bill was then ordered engrossed.

Senator Agnew called up House concurrent resolution No. 5, providing for a joint committee to visit the various State institutions.

The resolution was read, and

Senator Rogers offered to amend as follows: "Amend by striking out Sam Houston Normal."

Lost.

By Senator Agnew:

Amend by adding to first list, "Medical Branch of University at Galveston."

Adopted.

By Senator Lawhon:

Amend by adding the following: "Provided, that the Committee to visit the State Penitentiary at Huntsville are also directed to visit the Sam Houston Normal School at Huntsville."

Lost.

By Senator Colquitt:

Amend by adding Orphans Home at Corsicana.

Adopted.

By Senator Sherrill:

Resolved, That the committee appointed to visit the Reformatory at Gatesville shall also visit the Orphans Home at Corsicana, and that no special committee be appointed to visit the Orphans Home.

Lost by the following vote:

Yeas—12.

Agnew.	Gage,
Atlee.	Lawhon.
Beall.	Sherrill.
Boren,	Simpson.
Crowley.	Smith.
Dickson.	Steele.

Nays—14.

Bailey.	Greer.
Bowser.	Harrison,
Colquitt,	Presler.
Darwin,	Rogers.
Dean,	Stelburne.
Dibrell.	Tips.
Goss.	Whitaker.

Absent, excused.

Woods.

Absent, not excused.

Lewis,  
McComb,

McKinney,

### HOUSE MESSAGE.

House of Representatives,  
Austin, Tex., Jan. 18, 1895.

Hon. George T. Lester, President of Senate:

I am directed by the House to inform the Senate that the House has passed the following House concurrent resolution, to wit:

House concurrent resolution No. 6:

Whereas, It is desirable that "An act to adopt and establish the Revised Statutes of the State of Texas" should be passed by the Twenty-fourth Legislature, and the work incident thereto can be greatly lessened and made more effectual by a proper co-operation of the Senate with the House; therefore be it

Resolved by the House of Representatives, the Senate concurring, That a joint committee be created, composed of five Representatives to be appointed by the Speaker and three Senators to be appointed by the President of the Senate, to whom shall be referred all bills in the nature of acts to adopt and establish the Revised Statutes of the State of Texas and all bills to adopt a Penal Code and Code of Criminal Procedure for this State.

CHESTER HAILE,  
Chief Clerk House of Representatives.

Pending further action,  
The Chair laid before the Senate, special order,

Senate bill No. 5, being a bill to be entitled "An act to repeal Chapter 74 of the acts of the Twenty-third Legislature, approved May 2, 1893, and found on page 98, General Laws of the Twenty-third Legislature of the State of Texas, and known as the Board of Pardons Advisers,"

Action being on engrossment.

Pending further action on the bill,  
The Chair announced that the hour for the Senate to go into executive session on Ex-Governor Hogg's appointments had arrived, and the Senate accordingly went into

#### EXECUTIVE SESSION.

In executive session the following confirmations were had:

Jans Moller, Pilot Commissioner at Galveston.

W. G. Talliaferro, Judge Twentieth Judicial District.

E. D. Carvin, Judge of Criminal District composed of Galveston and Harris Counties.

L. J. Storey, Railway Commissioner.  
Graham McKellar, Manager of North Texas Insane Asylum.

#### AFTER EXECUTIVE SESSION.

The Chair added Senator Harrison to Committee on State Affairs; also Senators Steele and Colquitt to Judiciary Committee No. 2.

By permission, Senator Crowley sent up a petition and letters from citizens of Brazoria county, protesting against the division of said county.

On motion of Senator Steele, Senate adjourned to 10 a. m. tomorrow.

#### ELEVENTH DAY.

Senate Chamber.

Austin, Texas, January 19, 1895.

Senate met pursuant to adjournment.  
Lieutenant Governor Jester in the chair.  
Roll called. Quorum present, the following Senators answering to their names: Agnew, Atlee, Beall, Boren, Colquitt, Crowley, Darwin, Dean, Dickson, Gage, Goss, Greer, Harrison, Lawhon, Lewis, McKinney, Rogers, Shelburne, Sherrill, Simpson, Smith, Steele, Tips, Whitaker.

Absent—Senators Bailey, Bowser, Dibrell, McComb, Presler.

Excused—Senator Woods.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator McKinney, the same was suspended.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, Jan. 19, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 61, being a bill to be entitled "An act to amend articles 2447, 2452 and 2453, of title 45, of the Revised Civil Statutes of the State of Texas, and to repeal article 2448 of said title,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,  
Austin, Texas, Jan. 19, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 20, being "An act to amend article 3201, title 62, chapter 1, of the Revised Civil Statutes of the State of Texas,"

And find same correctly engrossed.

COLQUITT, Acting Chairman.

#### BILLS AND RESOLUTIONS.

By Senator Goss:

A bill to be entitled "An act to validate certain titles to lands located by virtue of certificates issued to railroad companies and now owned by purchasers in actual good faith for value, their heirs or assigns and by actual settlers, or belonging to the public free school, university or asylum funds."

Read first time and referred to Committee on Public Lands.

By Senator Dickson:

A bill to be entitled "An act to amend section 92 of the general school laws of Texas."

Read first time and referred to Committee on Education.

By Senator Greer:

A bill to be entitled "An act to authorize certain corporations to become security upon bonds required to be furnished by law, and prescribing the conditions under which they may do so."

Read first time and referred to Judiciary Committee No. 1.

Morning Call Concluded.

On motion of Senator Atlee, Senator Dibrell was excused until Monday, on account of important business.

On motion of Senator Rogers, Senators Bowser and Bailey were excused till Monday on account of important business.

On motion of Senator Beall, Senator Presler was excused till Tuesday on account of important business.